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known for many years and whom I respect highly, who is vehemently opposed to the bill. And he cited chapter and verse as to why he was opposed to the bill. I do also have, of course, as I said letters from persons who, lawyers who support the bill. But I would....I would hope that as the discussion progresses here and I disagree with my good friend, Senator Whitney, that we should vote on the bill immediately. I think the bill needs discussion. I think those of us who have questions to ask should ask questions. And so I would hope we do not vote immediately on this bill. I would like to ask Senator Luedtke several questions if I could, please?

PRESIDENT: Senator Luedtke, will you yield?

SENATOR LUEDTKE: Yes, I yield.

SENATOR SCHMIT: A constituent of mine, Senator Luedtke, wrote me six or eight months ago and outlined in an example where her father had passed away. She was the only heir, it was rather a sizable estate, and the attorney's fee represented to this lady more income than she would have earned in a number of years working for her livelihood. She was the only heir, there was no possible disagreement among the survivors. Can you tell me if without naming names and figures, I know this is difficult but can you tell me if under LB354 this charge would possibly have been less exorbitant in her mind.

SENATOR LUEDTKE: Well, Senator Schmit, that would be most difficult to do without seeing the exact case and it's very difficult from remote control to give an idea of whether fees will be more or less. There is a....I think a rather somewhat of a misunderstanding on LB354. LB354 basically has nothing to do with attorney's fees. By the way, in answer to your question about fees, there's a much more interesting development in America and in Nebraska with regard to lawyers fees that I think you'll all be interested in. For years the lawyers of Nebraska used what was called an advisory minimum fee schedule which I assume, Senator Schmit, is what the attorney followed in that particular estate.

SENATOR SCHMIT: I believe that's right.

SENATOR LUEDTKE: I'm sure that he did. Now, there has been some federal action, there's been some federal court action brought against various bar associations in the country against the bars of any state using even an advisory minimum fee schedule. In other words, setting prices, trade practices, just like any kind of an anti-trade practice where you conspire to set prices and that sort of thing. And so in Nebraska we no longer have a minimum fee schedule and most lawyers, at least most that I know of, are and, this includes in the field of probating of estates, and all of these services, are going on an hourly basis. Will from here on out give you their time and effort in hours and tell you what their hourly charge is. This obviously differs according to the attorney you use as to what he charges for his hourly rates. But, so I could not exactly tell you whether that would less or more or the same. I do want to caution anyone about coming to any quick decision about whether it's unfair or whether it's more than you'd get in a lifetime because sometimes, even when there's one person as a beneficiary in this estate, the federal estate problems could have been all the more dangerous in that type of situation. There might have been a lot more time spent on preparation of federal estate tax return. I mean, I don't